



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 52
Comm #: 53549-1246-22-A
BRRTS #: 02-28-174093
Site Name: Jefferson Bulk Plant
Site Address: 222 East Puerner Street, Jefferson, 53549
Site Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: Ralph.Smith@Wisconsin.gov
Bid Manager: Ralph N. Smith
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-6543
e-mail: Ralph.Smith@Wisconsin.gov

Bid-Start Date:	December 3, 2007
Questions must be received by (See Section 2 (B)):	December 17, 2007, 4:00 PM
Responses will be posted by (See Section 2 (B)):	January 4, 2008
Bid-End Date and Time:	January 18, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Madison, 1 E Main, Madison, WI 53703
Phone: (608) 663-1041 Fax: (608) 663-1045

SECTION 2 – Site-Specific Bid Requirements

General Comments

This site was previously bid in public bid round 23. Excavation work was previously done in areas Excavation A, B, C, and D (see Figure).

There is a layer of concrete ~3 inches thick (former ASTs pad?) in the vicinity of MW10 (soil boring BTMW9), please account for removal and disposal of the ~ 3-inch concrete layer and extra time to breakup & handle the concrete, if needed, to do the proposed excavation.

Groundwater elevation varies across the site from 798.97 feet MSL (2.47 feet depth to groundwater) to 787.73 feet MSL (13.47 feet depth to groundwater) historically (mostly in the ~3-5 feet depth to groundwater range site-wide as a rough average).

Minimum Remedial Requirements

Further site investigation work to define the extent of direct contact soil contamination needs to be done (0-4 feet b.g.s., nine borings total using direct push technology, and analyzed for PVOCs, Pb, and PAH compounds (see nine proposed soil boring locations on figure). All nine soil borings shall be logged and properly abandoned. Soil samples shall be collected for lab analysis (maximum of one soil sample per boring (0-2, 2-4 feet intervals) for a total number of lab soil samples – 9 PVOCs, 9 Pb, and 9 PAHs.

This additional work to characterize the nature and extent of soil contamination for direct contact issues shall be done prior to the remedial excavation in the event the proposed remedial excavation needs increasing. Allow for lab turn-around time and recommendations to Commerce for the soil boring data to be considered for further remedial activities and potential scope of work (SOW) modification, if applicable.

NR 720.19 and EPA Method 1 and EPA Method 2 are to be used to determine risk and for evaluation of site-specific direct contact risks.

Soil Excavation

Please excavate soil to address direct contact risk per the estimated footprint indicated on the site diagram. The estimate is for ~ 695 tons (463 cubic yards @ 1.5 tons/cubic yard). No sidewall sampling and/or bottom soil sampling is required for the remedial excavation post-excavation results. Use soil boring data and previous soil excavation soil sample results for purposes of the GIS Registry to the extent practical.

If soil sample results per the new soil borings scope of work dictate more soil excavation than estimated needs to be done to address direct contact issues, then the contractor shall wait until approval by Commerce for any/all remedial excavation activities.

Provide a remedial excavation report within one month of said activities to Commerce, and also report the soil results (using previously obtained soil sampling data in lieu of sidewall and bottom soil excavation results, unless the projected excavation ends up larger than projected per this bid document) per Comm 47.70 for web reporting purposes.

Groundwater Monitoring

Provide costs to utilize five monitoring wells for two quarterly groundwater sampling events (MW1, MW2, MW3, MW4, and MW6), sample for PVOs plus naphthalene and collect elevations (based on National Geodetic Survey data) from these wells only and remaining wells (three) – elevations only. Provide all previously reported groundwater data, and water level measurement results with associated groundwater flow direction and contour maps for both monitoring rounds. All laboratory analytical report sheets for the reporting period must also be included.

Report groundwater results and latest groundwater flow maps per Comm 47.70 PECFA Web Reports.

Replacement of monitoring well MW10 is not requested or required, even though it is located in the footprint of the proposed soil excavation. Please properly abandon monitoring well MW10 per NR 141 prior to the proposed excavation activities and submit the well abandonment form to this office.

Waste Disposal

All waste barrels used to store wastes generated from site work activities must be labeled and placed in an inconspicuous place on the site and removed from the site within two weeks of each sampling round. Dispose of the waste in accordance with s. NR 716.11(6), Wis. Adm. Code.

Contingency Costs

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Potential (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used - if required.

Commodity costs only for additional soil removal, backfill, compaction, and disposal costs (\$/ton), which must be approved by Commerce prior to any more soil than was estimated for purposes of bidding being removed.

Contingency costs for consulting and confirmation soil sampling necessary for the increased excavation, then these costs will be considered as contingency costs for purposes of bidding (including associated reporting) and shall be approved in advance of any remedial excavation by Commerce.

Contingency costs to utilize five monitoring wells (MW1, MW2, MW3, MW4, and MW6), sample for PVOs plus naphthalene and collect elevations (based on National Geodetic Survey data) from these wells only and remaining wells (three) – elevations only. Provide updated groundwater flow maps and tables, along with laboratory analytical results.

Contingency costs for all costs to closure, including web reporting per Comm 47.70, brief letter closure report and Commerce Case Summary and Closeout Form, well abandonment costs, mob/demob, waste disposal, and GIS Registry Packet.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Jefferson Bulk Plant

COMMERCE #: 53549-1246-22

BRRTS #: 02-28-174093

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License #	_____
<input type="checkbox"/>	Professional Geologist	License #	_____
<input type="checkbox"/>	Hydrologist	License #	_____
<input type="checkbox"/>	Soil Scientist	License #	_____

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)].

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Jefferson Bulk Plant

COMMERCE #: 53549-1246-22

BRRTS #: 02-28-174093

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Install nine direct push technology borings for soil sampling only as indicated in the bid specification.	\$
2	Two quarterly rounds of groundwater sampling from five wells specified in the bid specification, elevation data (3 additional wells – elevation only) & analysis for PVOC + PAH, and this includes updated tables, maps, and reporting.	\$
3	Remedial excavation costs (~695 tons) per the bid document and includes, backfill, compaction, and disposal costs per attached figure (including well abandonment costs for MW10).	\$
4	One remedial excavation report per the bid specification and reporting per Comm 47.70.	\$
5	Waste Disposal	\$
6	PECFA Claim Preparation	\$
7	Total Bid Amount	\$

CONTINGENCY COSTS**(Will be Approved and Added to the Bid Cap as Needed)**

8	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$	
9	Commodity costs only for additional soil removal, backfill, compaction, and disposal costs (\$/ton).	\$/ton	
10	Consulting and commodity costs for sampling and analytical costs only for sidewall and bottom soil samples for excavation based on new soil boring data per this bid scope – analyze for PVOCs, Pb, and PAHs.	\$	
11	One groundwater sampling and analysis event for (MW1, MW2, MW3, MW4, and MW6), and collect elevations from all other wells (three) and analyze for PVOCs plus naphthalene with letter report, Comm 47.70 Web Report(s), and, includes waste disposal, mob/demob and per diem costs as contingency costs.	\$	
12	Contingency costs for all costs to closure, including web reporting per Comm 47.70, brief letter closure report and Commerce Case Summary and Closeout Form, well abandonment costs, mob/demob, waste disposal, and GIS Registry Packet.	\$	

BID RESPONSE

(3rd Page)

Department of Commerce PECFA Program

SITE NAME: Jefferson Bulk Plant

COMMERCE #: 53549-1246-22

BRRTS #: 02-28-174093

Consulting Firm Name: _____

This response must address all of the site-specific requirements identified in Section 2, and shall support in detail the remedial strategy. Attach additional pages if necessary. *The Commerce Number and Consulting Firm name must be included on all additional pages.* The pages of each Bid Response must be *stapled* together. No paper clips or spiral bindings please.